

EXHIBIT 5

From: Knudson, Jacquelyn Swanner
Sent: Wednesday, September 9, 2020 1:05 PM
To: Kevin Thompson
Cc: McClammy, James I.; Harold D. Israel; Will Kovalchik; Scott Markowitz; Oluwole, Chautney M.; Townes, Esther C.
Subject: RE: Re:

Kevin—

We are available for a call Monday, September 14 at 4:30 p.m. If this works for your group, we will circulate a calendar invite and dial-in.

Also, please find below bates ranges for the Oxycodone studies:

- DSE-151- In Vitro Chromosomal aberration - PDD1701693617
- DSE-060- Reproductive (embryo-fetal—Segment II) Range-Finding Study- Rat - PDD170377016- (2-54) AND PDD1701377332 (209-325)
- DSE- 061- Reproductive (embryo-fetal—Segment II)- Rat - DSE-061- PDD1701377016 (55-313) AND PDD1701376694 (2-106)
- DSE-058- Reproductive (embryo-fetal—Segment II) Range-Finding Study- Rabbit - DSE-058- PDD1701376694 (107-257); see also PDD1701694266 (IRDC)
- DSE-059- Reproductive (embryo-fetal—Segment II)- Rabbit - DSE-059- PDD1701376694 (256-317) AND PDD1701376376 (2-236) AND PDD1701694884 (IRDC)

Best,
Jacquelyn

Jacquelyn Swanner Knudson

Davis Polk & Wardwell LLP

450 Lexington Avenue | New York, NY 10017
+1 212 450 3341 tel | +1 803 417 3273 mobile
jacquelyn.swanner@davispolk.com

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From: Kevin Thompson <kwthompsonwv@thompsonbarneylaw.com>
Sent: Thursday, September 3, 2020 10:19 PM
To: Knudson, Jacquelyn Swanner <jacquelyn.swanner@davispolk.com>
Cc: McClammy, James I. <james.mcclammy@davispolk.com>; Harold D. Israel <hisrael@llegal.com>; Will Kovalchik <willkoval@gmail.com>; Scott Markowitz <SMarkowitz@tarterkrinsky.com>; Oluwole, Chautney M. <chautney.oluwole@davispolk.com>; Townes, Esther C. <esther.townes@davispolk.com>
Subject: Re:

Jacquelyn,

I have to apologize but my schedule has been hijacked by another case and my first availability will be next Friday, September 11 from 8:30 to 11:00 and after 2:00 EDT. If that does not work, I can make myself available anytime on Monday September 14.

In the meantime, will you provide the specific studies listed below which are listed on MDL Bates E513_00138599.

Oxycodone

DSE-151- In Vitro Chromosomal aberration

DSE-060- Reproductive (embryo-fetal—Segment II) Range-Finding Study- Rat

DSE- 061- Reproductive (embryo-fetal—Segment II)- Rat

DSE-058- Reproductive (embryo-fetal—Segment II) Range-Finding Study- Rabbit

DSE-059- Reproductive (embryo-fetal—Segment II)- Rabbit

Naloxone

Rat (KPC/30/85)

Rabbit (KPC/31/85)

Rat (KPC/33/85)

Rabbit (KPC/35/85)

KPC/70/8409

KPC/74/8506

KPC/71/8409

Kevin.

On Thu, Aug 27, 2020 at 12:20 PM Knudson, Jacquelyn Swanner <jacquelyn.swanner@davispolk.com> wrote:

Kevin—

Looping in my colleagues Chautney and Esther. Apologies for the delay, but we are tied up tomorrow. Please let us know your availability for a call on Monday, August 31. We are generally available other than 1-2 p.m. and 5:30-6:30 p.m.

Thanks,
Jacquelyn

Jacquelyn Swanner Knudson

Davis Polk & Wardwell LLP

450 Lexington Avenue | New York, NY 10017

+1 212 450 3341 tel | +1 803 417 3273 mobile

jacquelyn.swanner@davispolk.com

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From: Kevin Thompson <kwthompsonwv@thompsonbarneylaw.com>

Sent: Friday, August 21, 2020 5:43 PM

To: McClammy, James I. <james.mcclammy@davispolk.com>; Knudson, Jacquelyn Swanner <jacquelyn.swanner@davispolk.com>; Harold D. Israel <hisrael@llegal.com>; Will Kovalchik <willkoval@gmail.com>; Scott Markowitz <SMarkowitz@tarterkrinsky.com>

Subject:

James and Jacquelyn:

Thank you for making the time to meet with us. It was a productive meeting and we hope that you can make time to have another call with us next week. Does next Friday, August 28th at 1pm EDT work for you? In the meantime, let me cover what we discussed in our last meeting.

- We maintain that our discovery requests properly reach to reproductive toxicity pilot studies, reproductive toxicity preliminary dose-ranging studies and any other reproductive toxicity studies that were NOT disclosed to the FDA. You said that you would consider our position and respond.

- In our last meeting we discussed several studies listed in E513_00138599. We have been unable to locate these studies within the bates ranges to which you directed us. We would ask that you either provide corresponding bates ranges if these were previously produced or provide copies of the studies if these productions are not in the MDL productions.

Oxycodone

DSE-151- In Vitro Chromosomal aberration

DSE-060- Reproductive (embryo-fetal—Segment II) Range-Finding Study- Rat

DSE- 061- Reproductive (embryo-fetal—Segment II)- Rat

DSE-058- Reproductive (embryo-fetal—Segment II) Range-Finding Study- Rabbit

DSE-059- Reproductive (embryo-fetal—Segment II)- Rabbit

Naloxone

Rat (KPC/30/85)

Rabbit (KPC/31/85

Rat (KPC/33/85)

Rabbit (KPC/35/85)

KPC/70/8409

KPC/74/8506

KPC/71/8409

- You had directed us to Purdue's First Supplemental Responses to MDL Interrogatory 29 regarding studies that Purdue relied upon in support of statements contained in Purdue marketing materials and safety disclosures concerning reproductive toxicity. After discussing the issue with you, we asked that you search for the list of outside studies we provided to determine whether those articles are in the possession of the Debtor or were relied on by the Debtor. You said that you would consult with your client. We agree with you that you are not under an obligation to provide us with copies of journal articles in the public domain and want to emphasize we only want copies of studies (or bates numbers) that Purdue itself conducted or had conducted. For journal articles and other public domain studies that Purdue may have relied upon, we only seek a list of citations to such articles. This is consistent with the method by which you responded to MDL Interrogatory 29.

- NASAHC Interrogatory 4 dealt with case reports regarding children exposed to opioids in utero. You said you were going to provide a list of bates ranges for the relevant MedWatch reports provided to the MDL as of the bankruptcy filing date.

- NASAHC RFP 3 regards search terms. You expressed concern that the request was burdensome in that it required the searches be run over the complete universe of custodians. Having reviewed the custodian list provided by the UCC we will narrow our custodian list to the following individuals:

1. Craig Landau,
2. Howard Udell
3. Kathe Sackler
4. Mortimer D. Sackler
5. Mortimer D.A. Sackler
6. Raymond Sackler
7. Richard Sackler
8. Stuart Baker

We request that against those custodians you run the following search terms:

- "Neonatal Abstinence Syndrome"
- "NAS"
- "infant"
- "baby(ies)"
- "spina bifida"
- "mare"
- "off-spring"
- "in utero"
- "Chiari"
- "septal"
- "ankyloglossia"
- "congenital brain damage"
- "craniosynostosis"
- "dysplasia"
- "gastroschisis"
- "Pierre Robin"

- “respiratory tract malformation”
- "Broussard"
- "reproductive toxicity"

To the extent that you agree to provide any of the above-listed information, we look forward to receiving additional information as it becomes available. If you can provide any information on a rolling basis twenty-four hours in advance of our next conference it would be greatly obliged. We look forward to speaking with you next week.

Thank you for your continued cooperation.

Kevin Thompson, Esq.

Harold Israel, Esq.

Scott Markowitz, Esq.